

Docket No. BIO-83

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ben-Haim, Shlomo

Serial No. : 09/273,646

Art Unit: 3737

Filed : March 23, 1999

Examiner: Ruth S. Smith

For : MEDICAL DIAGNOSIS TREATMENT AND IMAGING SYSTEMS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and all attachments are being facsimile transmitted to the United States Patent and Trademark Office, Office of Petitions, on the date shown below:

March 9, 2004

(Date of Deposit)

Louis J. Capezzuto

(Name of applicant, assigned, or Registered Representative)

(Signature)

March 9, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: Hindricks, et al., PERKUTANE ENDOCARDIALE Nd-YAG LASERAPPLIKATION: EXPERIMENTELLE UNTERSUCHUNGEN ZUR ABLATION VENTRICULAREN MYOKARDS, Zeitschrift fur Kardiologie, Pgs. 763-780, 1991 (See English Abstract).

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/BIO-83/LJC. This form is submitted in triplicate.

Respectfully submitted,



Louis J. Capezzuto
Reg. No. 37,107
Attorney for Applicants

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(732) 524-2218
DATED: March 9, 2004



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 10

Application Number	09/273,646
Filing Date	March 23, 1999
First Named Inventor	Ben-Haim, Shlomo
Group Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	BIO-83

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,438,765		Wilinsky, Jack	03/27/1984	
		4,512,762		Spears, James R.	04/23/1985	
		4,597,380		Raif et al.	07/01/1986	
		4,641,650		Mok, Walter Y. W.	02/10/1987	
		4,658,817		Hardy, Roger I.	04/21/1987	
		4,682,594		Mok, Walter Y. W.	07/28/1987	
		4,686,979		Gruen et al.	08/18/1987	
		4,785,815		Cohen, Donald	11/22/1988	
		4,788,975		Shturman et al.	12/06/1988	
		4,817,111		Nilsen et al.	03/28/1989	
		4,860,743		Abela, George S.	08/29/1989	
		4,862,886		Clarke et al.	09/05/1989	
		4,862,887		Weber et al.	09/05/1989	

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FOREIGN PATENT DOCUMENTS

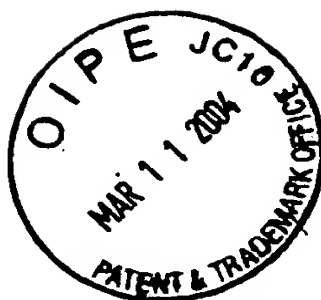
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		WO	94/06349	A1	Encocardial Therapeutics, Inc.	03/31/1994		
		WO	94/04938	A1	British Telecommunications Public Ltd. Co.	03/03/1994		
		WO	95/07657	A1	Cardiac Pathways Corporation	03/23/1995		
		WO	96/35469	A1	Cardiogenesis Corporation	11/14/1996		
		WO	97/25101	A2	Biosense, Inc.	07/17/1997		
		WO	97/29803	A1	Cormedica	08/21/1997		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 10

Application Number	09/273,646
Filing Date	March 23, 1999
First Named Inventor	Ben-Haim, Shlomo
Group Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	BIO-83

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,891,818		Levatter, Jeffrey I.	01/02/1990	
		4,927,231		Levatter, Jeffrey I.	05/22/1990	
		4,993,412		Murphy-Chutorian, Douglas R.	02/19/1991	
		5,015,067		Levatter, Jeffrey I.	05/14/1991	
		5,041,108		Fox et al.	08/20/1991	
		5,044,717		Levatter, Jeffrey I.	09/03/1991	
		5,062,842		Tiffany, William B.	11/05/1991	
		5,066,292		Muller et al.	11/19/1991	
		5,093,877		Aita et al.	03/03/1992	
		5,106,386		Isner et al.	04/21/1992	
		5,109,388		Rudko, Robert I.	04/28/1992	
		5,111,832		Saksena, Sanjeev	05/12/1992	
		5,114,403		Clarke et al.	05/19/1992	
		5,125,924		Rudko, Robert I.	06/30/1992	
		5,125,926		Rudko et al.	06/30/1992	
		5,177,760		Kuch, Joseph	01/05/1993	
		5,200,604		Rudko et al.	04/06/1993	
		5,219,347		Negus et al.	06/15/1993	
		5,251,612		Negus, Charles C.	10/12/1993	
		5,281,212		Savage et al.	01/25/1994	
		5,290,277		Vercimak et al.	03/01/1994	

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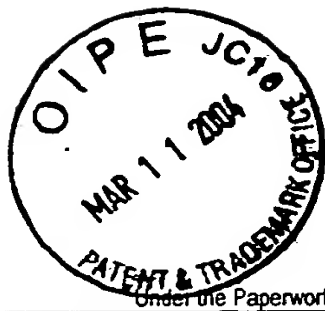
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 10

Application Number	09/273,646
Filing Date	March 23, 1999
First Named Inventor	Ben-Haim, Shlomo
Group Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	BIO-83

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,336,218		Linhares, Stephen J.	08/09/1994	
		5,380,316		Aita et al.	01/10/1995	
		5,389,096		Aita et al.	02/14/1995	
		5,391,199		Ben-Haim	02/21/1995	
		5,403,356		Hill et al.	04/04/1995	
		5,411,502		Zair, Eliezer	05/02/1995	
		5,423,805		Brucker et al.	06/12/1995	
		5,433,198		Desai, Jawahar M.	07/18/1995	
		5,449,354		Konwitz et al.	09/12/1995	
		5,465,717		Imran et al.	11/14/1995	
		5,471,982		Edwards et al.	12/05/1995	
		5,480,422		Ben-Haim, Shlomo	01/02/1996	

FOREIGN PATENT DOCUMENTS

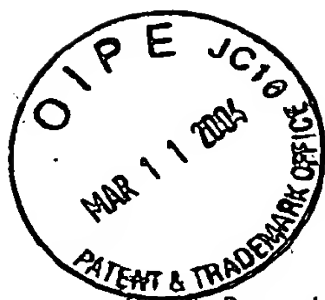
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 4 of 10

Application Number	09/273,646
Filing Date	March 23, 1999
First Named Inventor	Ben-Haim, Shlomo
Group Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	BIO-83

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,487,391		Panescu	01/30/1996	
		5,500,012		Brucker et al.	03/19/1996	
		5,505,725		Samson, Gene	04/09/1996	
		5,509,822		Negus et al.	04/23/1996	
		5,554,152		Aita et al.	09/10/1996	
		5,558,073		Pomeranz et al.	0924 /1996	
		5,558,668		Lankford et al.	09/24/1996	
		5,591,159		Taheri, Syde A.	01/07/1997	
		5,591,161		Negus et al.	01/07/1997	
		5,722,934		Knight et al.	03/03/1998	
		5,769,843		Abela et al.	06/23/1998	
		5,807,384		Mueller, Richard L.	09/15/1998	
		5,807,388		Jeevanandam et al.	09/15/1998	
		5,810,836		Hussein et al.	09/22/1998	
		5,827,203		Nita, Henry	10/27/1998	
		5,830,222		Makower, Joshua	11/03/1998	
		5,840,075		Mueller et al.	11/24/1998	

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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<i>Application Number</i>	09/273,646
<i>Filing Date</i>	March 23, 1999
<i>First Named Inventor</i>	Ben-Haim, Shlomo
<i>Group Art Unit</i>	3737
<i>Examiner Name</i>	Ruth S. Smith
<i>Attorney Docket Number</i>	BIO-83

[illegible]

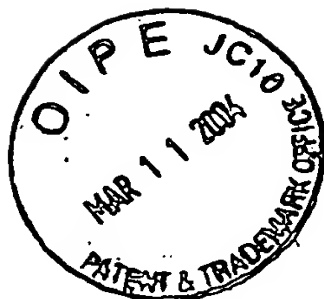
Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 6 of 10

Application Number	09/273,646
Filing Date	March 23, 1999
First Named Inventor	Ben-Haim, Shlomo
Group Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	BIO-83

U.S. PATENT DOCUMENTS

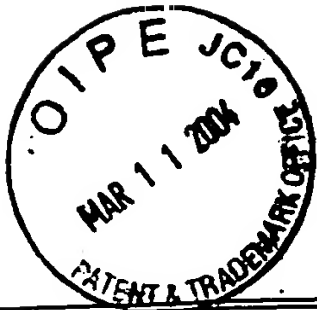
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,253,647		Takahashi et al.	10/19/1993	
		5,273,025		Sakiyama et al.	12/09/1993	
		5,295,484		Marcus et al.	03/22/1994	
		5,318,025		Dumoulin et al.	06/07/1994	
		5,443,489		Ben-Haim, Shlomo	08/22/1995	
		5,622,170		Schultz, Waldean A.	04/22/1997	
		5,681,260		Ueda et al.	10/28/1997	
		5,722,402		Swanson et al.	03/03/1998	
		5,681,260		Ueda et al.	10/28/1997	
		5,729,129		Acker, David E.	03/17/1998	
		5,752,513		Acker et al.	05/19/1998	
		5,755,725		Druais, Herve	05/26/1998	
		5,833,604	B1	Houser et al.	11/10/1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		WO	90/13259	A1	Tomtec Tomographic Technologies GMBH	11/15/1990		
		WO	92/03090	A1	Imperial College of Science, Technology & Medicine	03/05/1992		
		WO	92/14506	A1	Raychem Corporation	09/03/1992		
		WO	93/04628	A1	Navion Biomedical Corporation	03/18/1993		
		GB	2267035	A	Arizona Board of Regents	11/24/1993		
		WO	93/07808	A1	Interspec, Inc.	04/29/1993		
		WO	93/20878	A1	Cardiorhythm	10/28/1993		
		WO	93/24057	A1	Echocath, Inc.	12/09/1993		
		WO	95/02995	A1	Biosense, Inc.	02/02/1995		

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SignatureDate
Considered

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Sheet 7 of 10

INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Docket Number E10-83	Application Number 09/273,646
	Applicant Shlomo Ben-Haim	
	Filing Date March 23, 1999	Group Art. Unit 3737
	Continuation of Serial No.	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	3,644,825	2/72	Davis, Jr., et al.			
	3,868,565	2/75	Kuipers			
	4,017,858	4/77	Kuipers			
	4,054,881	10/77	Raab			
	4,173,228	11/79	Van Steenwyk et al.			
	4,223,228	9/80	Kaplan			
	4,317,078	2/82	Weed et al.			
	4,396,885	8/83	Constant			
	4,422,041	12/83	Lineau			
	4,613,866	9/86	Blood			
	4,642,786	2/87	Hansen			

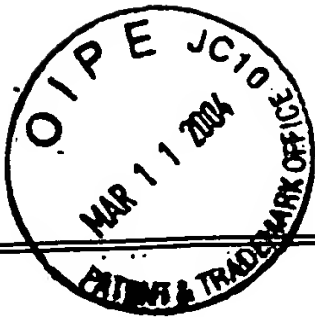
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FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANS- LATION YES NO
WO 8809515	12/88	PCT			
0038151	10/81	Europe			
WO 9509562	04/95	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	Breyer et al., Ultrasonically Marked Catheter, A Method for Positive Ecographic Catheter Position and Identification,
	MEDICAL AND BIOLOGICAL ENGINEERING AND COMPUTING, May 1985, pgs. 268-271
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	



Sheet 8 of 10

INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Docket Number BIO-83	Application Number 09/273,646
	Applicant Shlomo Ben-Haim	
	Filing Date March 23, 1999	Group Art Unit 3737
	Continuation of Serial No.	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,652,820	3/87	Maresca			
	4,661,773	4/87	Kawakita et al.			
	4,697,595	10/87	Breyer et al.			
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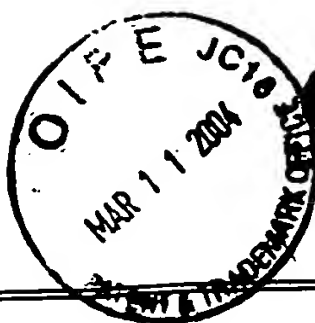
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANS- LATION YES NO
	0399536	11/90	Europe			
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Sheet 9 of 10

INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Docket Number BIO-83	Application Number 09/273,646
	Applicant Shlomo Ben-Haim	
	Filing Date March 23, 1999	Group Art Unit 3737
	Continuation of Serial No.	

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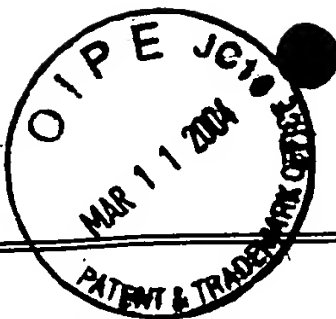
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	WO 94/03227	02/94	PCT				
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Sheet 10 of 10

INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Docket Number BIQ-83	Application Number 09/273,646
	Applicant Shlomo Ben-Haim	
	Filing Date March 23, 1999	Group Art Unit 3737
	Continuation of Serial No.	

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